

Public Law 943

CHAPTER 909

AN ACT

To provide for the termination of Federal supervision over the property of the Ottawa Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes.

August 3, 1956
[S. 3969]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to provide for the termination of Federal supervision over the trust and restricted property of the Ottawa Tribe of Indians located in northeastern Oklahoma and the individual members thereof, and for a termination of Federal services furnished to such Indians because of their status as Indians.

Indians.
Ottawa Tribe,
Okla.
Federal super-
vision terminated.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to transfer within three years after the date of this Act to each member of the Ottawa Tribe unrestricted title to funds or other personal property held in trust for such member by the United States.

Personal prop-
erty and funds.

(b) All restrictions on the sale or encumbrance by the owners of trust or restricted lands that were originally allotted to persons who were at the time of allotment members of the Ottawa Tribe, regardless of whether such owners are themselves members of such tribe, and all restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor), regardless of where the land is located, are hereby removed three years after the date of this Act, and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance three years or more after the date of this Act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of the tribe, the Secretary may:

(1) Upon request of any of the owners made within two years after the date of this Act, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted three years from the date of this Act;

(2) Upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof, and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) If the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

SEC. 3. (a) The Act of June 25, 1910 (36 Stat. 855), the Act of February 14, 1913 (37 Stat. 678), and other Acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of the Ottawa Tribe who die six months or more after the date of this Act.

Probate of es-
tates.
25 USC 151.
25 USC 373.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribe who die six months or more after the date of this Act.

Guardians appointed.

SEC. 4. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this Act, the Secretary of the Interior shall protect the rights of members of the tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

Tribal funds.

SEC. 5. Pending the completion of the property dispositions provided for in this Act, the funds now on deposit or hereafter deposited in the Treasury of the United States to the credit of the Ottawa Tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary of the Interior.

Execution of deeds, etc.

SEC. 6. The Secretary of the Interior shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this Act, or to establish a marketable and recordable title to any property disposed of pursuant to this Act.

Prior leases, etc.

SEC. 7. Nothing in this Act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary of the Interior any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency, or to a State agency with the consent of such agency and the other party or parties to such instrument.

Status of Indians.

SEC. 8. (a) The Federal trust relationship to the affairs of the Ottawa Tribe and its members shall terminate three years after the date of this Act, and thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians. All statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this Act shall affect the status of the members of the Ottawa Tribe as citizens of the United States.

Educational program.

(c) Prior to the termination of the Federal trust relationship in accordance with the provisions of this section, the Secretary of the Interior is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall pre-

clude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

SEC. 9. (a) Effective three years after the date of this Act, the corporate charter issued pursuant to the Act of June 26, 1936 (49 Stat. 1967), as amended, to the Ottawa Tribe of Oklahoma and ratified by the tribe on November 30, 1938, is hereby revoked.

Corporate charter
terminated.
25 USC 501.

(b) Effective three years after the date of this Act, all powers of the Secretary of the Interior or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the Ottawa Tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this Act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this Act without the participation of the Secretary or other officer of the United States.

SEC. 10. Nothing in this Act shall affect any claims heretofore filed against the United States by the Ottawa Tribe.

SEC. 11. Nothing in this Act shall abrogate any water rights of the Ottawa Tribe or its members.

SEC. 12. The Secretary of the Interior is authorized to issue rules and regulations necessary to effectuate the purposes of this Act and may in his discretion provide for tribal referendums on matters pertaining to management or disposition of tribal assets.

Regulations.

SEC. 13. All Acts or parts of Acts inconsistent with this Act are hereby repealed insofar as they affect the Ottawa Tribe or its members. The Act of June 26, 1936 (49 Stat. 1967), and the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members three years after the date of this Act.

25 USC 461.

SEC. 14. If any provision of this Act, or the application thereof, to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 15. (a) The tribe shall have a period of six months from the date of this Act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this Act, which shall be published in the Federal Register. The proposed roll shall be prepared in accordance with eligibility requirements prescribed in the tribe's constitution and bylaws. If the tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or any interest in its assets, or a representative of the Secretary on behalf of any such person, may, within sixty days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this Act.

Roll of members.
Publication in
FR.

Taxes.

(b) No property distributed under the provisions of this Act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this Act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

Approved August 3, 1956.

Public Law 944

CHAPTER 910

AN ACT

August 3, 1956
[S. 4116]

To increase the membership of the Senate Office Building Commission.

Senate Office
Building Commission.

67 Stat. 328,
40 USC 174b-1
note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the membership of the Senate Office Building Commission, created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), as amended by Public Law 178, Eighty-third Congress, approved August 3, 1953, is hereby increased from seven to nine members, such additional members to be appointed by the President of the Senate.

Approved August 3, 1956.

Public Law 945

CHAPTER 911

AN ACT

August 3, 1956
[S. 4221]

To amend the International Wheat Agreement Act of 1949.

International
Wheat Agreement.
63 Stat. 945.
7 USC 1641.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the International Wheat Agreement Act of 1949, as amended, is amended by inserting before the parenthesis at the end of the first sentence thereof the following: "and the Agreement (International Wheat Agreement, 1956) further revising and renewing the International Wheat Agreement for a period ending July 31, 1959, signed by Argentina, Australia, Canada, France, Sweden, the United States, and certain wheat importing countries".

63 Stat. 2173.

SEC. 2. Reference in any law to the International Wheat Agreement of 1949 shall be deemed to include the Agreement (International Wheat Agreement, 1956) revising and renewing the International Wheat Agreement for a period ending July 31, 1959.

Approved August 3, 1956.

Public Law 946

CHAPTER 912

JOINT RESOLUTION

August 3, 1956
[H. J. Res. 511]

Granting the consent of Congress to the States of New York, New Jersey, and Connecticut to confer certain additional powers upon the Interstate Sanitation Commission, established by said States pursuant to Public Resolution 62, Seventy-fourth Congress, August 27, 1935.

Interstate Sanitation Commission.
Studies of air pollution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 27, 1935 (49 Stat. 932) is amended by striking out section 2 thereof and inserting the following new sections: